

United States Senate
WASHINGTON, DC 20510

November 23, 2011

1625

The Honorable Julius Genachowski
Chairman of the Federal Communications Commission
Washington, DC 20554

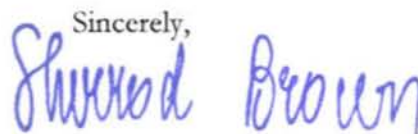
Dear Chairman Genachowski:

This holiday weekend, the Cincinnati Bengals and Cleveland Browns will play against one another in a highly anticipated rivalry game. Countless Ohioans are eagerly planning to gather with family and friends to watch this game, but will be deprived of the chance to watch the Bengals and the Browns on local television due to the Federal Communications Commission's (FCC) sports blackout rule. The FCC's blackout policies permit broadcasters to black out home games that are not sold out within 72 hours of the game in local television markets. Due to this rule, only one home game has been televised in Cincinnati and Dayton this entire season, despite the fact that the Bengals play in a stadium that cost Ohio taxpayers over \$450 million.

While I understand that the blackout rule was designed to help sell tickets, I believe that this rule should be reexamined. During these difficult times, families are struggling to make ends meet. The average cost of a ticket to an NFL game is nearly ten times the hourly minimum wage. As a result, attending any NFL game is simply cost prohibitive for many Ohioans. This problem will likely become worse as ticket costs increase.

Given these considerations, I urge you to allow public comment on the pending petition to end this rule. Our state's NFL teams have long served as a source of pride for many Ohioans, and I am deeply troubled that too many Ohioans will not be able to watch and root for their teams on local television. I ask you to revisit this rule and to allow the Americans who have been prevented from watching their teams play, the opportunity to publicly comment on the sports blackout rule.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,


Sherrod Brown
United States Senator



FEDERAL COMMUNICATIONS COMMISSION

January 5, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Sherrod Brown
United States Senate
713 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Brown:

Thank you for your letter urging the Commission to reexamine the sports blackout rules. Your views are very important and, if the Commission opens a proceeding on this matter, I will ensure that your letter is included in the record of the proceeding and considered as part of the Commission's review.

As you are aware, the Commission received a Petition for Rulemaking on November 11, 2011, requesting elimination of the sports blackout rules. The Sports Fans Coalition, Inc., Public Knowledge, Media Access Project, National Consumer League, and the League of Fans assert in their petition that sports economics and the technological means of distributing games have rendered these rules obsolete. The Commission's Media Bureau is reviewing the petition and I look forward to receiving its recommendation.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the word "Sincerely," and the printed name below it.

Julius Genachowski